HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 8944 of 2007

Date: 23.8.2007

Between:

Srisailapu Laxmi

....Petitioner

and

The District Collector,
West Godavari District at Eluru and others

....Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 8944 of 2007

O R D E R:

The husband of the petitioner by name Venkatachary was employed as a Work Inspector in the Irrigation Department. He participated in the 'Janmaboomi' programme at Madhavaram, held in January 2000. He died of heart attack during that programme.

The petitioner made a claim for payment of Rs.1 lakh on the ground that the Government has decided to pay the said amount for the dependants of the employees, who have died while participating in the 'Janmaboomi' programme. It is also represented that the 2nd respondent-Superintending Engineer, Irrigation Circle, recommended the case of the petitioner through his letter dated 25.2.2005 and the petitioner seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for Irrigation.

There is no dispute that the husband of the petitioner died due to heart attack while in service, at a time when he was participating in the 'Janmaboomi' programme. It is stated that compassionate appointment was provided to the son of the deceased as Panchayat Secretary vide proceedings dated 23.6.2002. The claim by the petitioner for compensation is in addition to the benefit extended in the form of compassionate appointment.

This court would certainly have issued necessary directions for extension of the benefit to the petitioner had there been any provision of law or an order of Government, providing for such benefit. Even in his letter dated 25.2.2005, the 2nd respondent did not make any mention of the orders of Government. The funds of the Government are regulated through certain measures and orders. The petitioner cannot be singled out in the matter of providing such benefit. On the other hand, it is for the Government to take a policy decision in such matters.

As long as there is no policy decision, this court cannot issue any specific directions for payment of Rs.1 lakh to the petitioner as compensation.

The writ petition is dismissed. There shall be no order as to costs.

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L.NARASIMHA REDDY, J

Date: 23.8.2007

cvm